

OGC Has Reviewed

OGC 63-1820(a)

25 June 1963

MEMORANDUM FOR: DC/SS/EE

SUBJECT: Leave in United States and its Effect upon  
Field Tours of Duty

REFERENCE: Your memo to OGC dtd 21 June 63, same subject

1. On 21 June 1963 you requested our opinion on whether time spent in the United States for any purpose would serve to lengthen the eligibility period before which an employee assigned overseas might utilize accrued home leave. [ ] states that authorized leave with pay "regardless of where such leave is used" will not serve to extend the period of creditable service for home leave accrual. Over the period of the last eight months, this Office has had a number of conversations with representatives of the General Accounting Office with respect to home leave accrual and the eligibility period for utilizing home leave. From our most recent conversation, we have concluded that GAO favors the following position:

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A. Time spent in the United States serves to lengthen the period of time before which the employee becomes eligible to utilize home leave. If such time spent in the U. S. is for TDY of less than four months' duration, the rule does not apply.

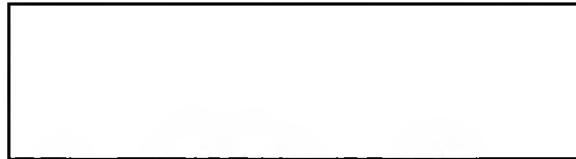
B. Time spent in the United States on TDY or leave, if less than four months' duration, will not interrupt accrual of home leave.

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2. We are requesting that the Director of Personnel review  
this formal opinion of the General Accounting Office in light of

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3. It is hoped that this clarification of the present legal position in this rather confusing area will assist you in notifying well in advance personnel overseas who may otherwise rely upon some understandable misinterpretation of home leave accrual and eligibility rules.



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Office of General Counsel

cc: Director of Personnel